

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
ABILENE DIVISION

LEAGUE OF UNITED LATIN AMERICAN	§	
CITIZENS, STATEWIDE (LULAC),	§	
PAT DE ANDA and GLORIA MENDEZ,	§	
Plaintiff,	§	
	§	
	§	
v.	§	
	§	
BIG SPRING INDEPENDENT	§	
SCHOOL DISTRICT, DAN WISE,	§	
PRES., LARRY McLELLAN, DON	§	
BAKER, IRENE BUSTEMANTE, LARRY	§	CA NO. 1:96-CV-27-C
HOLLAR, GLYNNA MOUTON and	§	
AL VALDES all in their official capacities as	§	
members of the Board of Trustees for the	§	
BIG SPRING INDEPENDENT	§	
SCHOOL DISTRICT, HOWARD	§	
COUNTY, TEXAS	§	
Defendants.	§	

**AGREED ORDER MODIFYING**  
**CONSENT DECREE**

The Plaintiffs, LEAGUE OF UNITED LATIN AMERICAN CITIZENS, STATEWIDE, (LULAC), PAT DE ANDA and GLORIA MENDEZ, (hereinafter "Plaintiffs") and Defendants, BIG SPRING INDEPENDENT SCHOOL DISTRICT, et al. (hereinafter "BSISD") (collectively the "Parties") have filed an Agreed Motion to Amend Consent Decree (the "Agreed Motion") in this suit.

This suit asserted claims of racial and ethnic discrimination and improperly diluting the strength of the Mexican-American voters arising out of a trustee election system within BSISD that selected three (3) trustees through at large elections. This Court entered a Consent Decree on or about July 2, 1996 (the "1996 Consent Decree"), wherein the Court approved the Parties Agreed Settlement in this suit. The Parties, through their Agreed Motion, request this Court

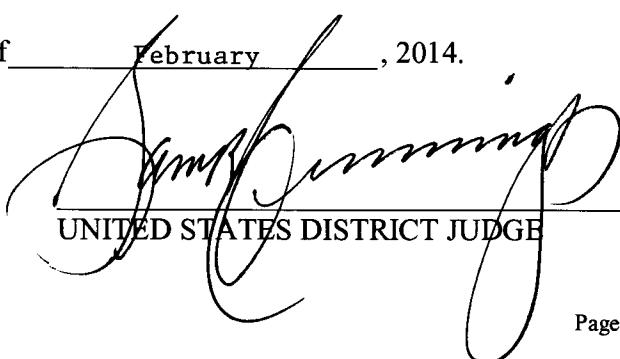
modify the 1996 Consent Decree so that said 1996 Consent Decree comports with BSISD's current trustee election system and allows the District to change early voting and election day polling places. The voting changes requested in the Parties' Agreed Motion have been approved by the United States Department of Justice (the "DOJ") as was previously required by Section 5 of the Federal Voting Rights Act, 42 U.S.C. 1973c prior to the United States Supreme Court's decision in *Shelby County v. Holder*, 133 S. Ct. 2612, 2013 U.S. LEXIS 4917, 2013 WL 3184629 (U.S. 2013).

After consideration of the Parties' Agreed Motion and in recognition that the proposed trustee election system changes were precleared by the DOJ, this Court grants said Agreed Motion. Therefore, it is hereby:

ORDERED, ADJUDGED AND DECREED that the 1996 Consent Decree in this suit is amended to provide as follows:

1. The election of BSISD trustees shall be from 7 single member voting districts by plurality vote;
2. The election day polling place for trustee elections shall be the foyer of the Dorothy Garrett Coliseum, 1001 Birdwell Lane, Big Spring, Texas and,
3. The BSISD Board of Trustees has the authority to make further changes to the early voting and election day polling places for its trustee elections to comply with federal and/or state law or as it determines to be in the best interest of BSISD voters, provided such change(s) are made as may be required under federal and state law.

SIGNED THIS 5<sup>th</sup> day of February, 2014.

  
UNITED STATES DISTRICT JUDGE

APPROVED AS TO FORM AND CONTENT:



ROLANDO L. RIOS, SBN: 16935900  
R.L. RIOS & Associates, PLLC  
115 E. Travis  
Suite 1645  
San Antonio, Texas 78205  
Attorney for Plaintiffs



FRED A. STORMER, SBN: 24013579  
UNDERWOOD LAW FIRM, P.C.  
P.O. Box 9158  
Amarillo, TX. 79101-2446  
Attorney for Defendants